UNITED STATES PATENT AND TRADEMARK OFFICE

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10/088,018	03/13/2002	Christophe Nicolas	3829-049 NATL	4937

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *17 March 2010*.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,3-10,12-16 and 18* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1,3-10,12-16 and 18* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in regards to the response received on 03/17/2010.

Claims 1, 3, 7-10, 16 and 18 have been amended. Claims 1, 3-10, 12-16 and 18

are pending.

Response to Arguments

2.   Applicant's arguments filed 03/17/2010 with respect to claims 1, 3-10,

12-16 and 18 have been considered but are moot in view of the new ground(s)

of rejection.

3.   With respect to the Claim Rejections - 35 USC § 101 has been

withdrawn because the applicants admit on the first paragraph of Remarks that

the claims 1 and 10 are performed on a management center device via a

modem.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   **Claims 1, 3-10, 12-16 and 18 are rejected under 35 U.S.C. 103(a)**

as being unpatentable over Deiss (US 5,802,063), in View of Khan et al.

(Khan) (US 6,654,422 B1), Wong et al. (Wong) (US 5,978,787) and Yorimitsu

et al. (Yorimitsu) (US 5,835,940).

5.   Regarding claim 1, Deiss disclosed a <u>computer-implemented</u> method

and system of processing a chain of database management messages exchange

between a management center <u>device </u>and a plurality of distributed subscriber

databases, wherein each management message member of this chain comprises

a chain header and a chain identifier (*see column 2, line 55 through column 3,*

line 6 Within every payload is a header which contains a continuity count, CC,

modulo 16, and a TOGGLE flag bit which are program component specific.),

comprising creating <u>by the management center device </u>a conditional block

for each management message member of said chain, said conditional block

indicating at least one of the following conditions:

the management message member associated with the conditional block

is to be processed without reference to all or part of other message members of

the chain, (*see column 5, lines 11-63 FIG. 4 illustrates exemplary apparatus for*

detecting packets (process) which include conditional access information);

adding <u>by the management center device </u>said conditional block to each of

said respective management message members of said chain (*column 5, lines*

44-46 FIG. 4 illustrates exemplary apparatus for detecting packets (process)

which include conditional access information); and

transmitting <u>by the management center device </u>the chain of database

management message between a management center and a plurality of

distributed subscriber <u>database devices</u> (*see column 1, lines 57-61*);

reading at a subscriber database <u>device</u>, the conditional block of the

received management message of said chain(*column 11, lines 34-40 Memory*

read/write control is performed by the service pointer controller and direct

memory access);

determining at a subscriber database <u>device</u> whether processing of a

received message is subject to a condition in the corresponding conditional block

(*column 7, line 30 through column 8, line 10 FIG. 5 is a flow chart of the*

operation of the conditional access filter 30. The process is started by the

detection of the associated SCID.);

if the processing of the received message is not subject to a condition,

immediately processing said message <u>by the subscriber database device</u>

(*column 7, lines 4-8*);

if the received message is subject to a condition, determining <u>by the</u>

<u>subscriber database device</u> from said table whether the condition has been

fulfilled (*column 5, lines 1-31*);

if the condition has been fulfilled, immediately processing said message

<u>by the subscriber database device</u> (*column 5, lines 1-31*);

Deiss fails to explicitly teach the management message member

associated with the conditional block is to be processed with reference to at least

one of other message members of the chain;

at least one management member of the chain containing a conditional

block indicating a condition wherein said management message member is to be

processed with reference to at least one of other message members of the chain;

However, Khan teaches or suggests the management message member associated with the conditional block is to be processed with reference to at least one of other message members of the chain; at least one management member of the chain containing a conditional block indicating a condition wherein said management message member is to be processed with reference to at least one of other message members of the chain(*see column 2, lines 15-35 The sequence number associated with (reference) the most recent data that has been received success and see column 4, lines 7-23 The header field specifies conditions such as whether the data message is new data and see column 5, lines 48-62 In this case, a block size contains a fixed number of bytes B.*).

Therefore, it would have obvious to a person of ordinary skill in the art at the time of invention was made to have been combined the teachings of Khan to utilize the processed with reference feature within a chain of database management messages exchange taught by Deiss. The motivation for this would have been to use the concept of variable size sequence numbers where transmissions are made with set block sizes (*see column 4, lines 7-23 The header field specifies conditions such as whether the data message is new data and see column 5, lines 48-62 In this case, a block size contains a fixed number of bytes B.*)

Deiss and khan fail to explicitly teach managing a table in the subscriber database <u>device</u>, containing an information representing a processing state of each member of the chain;

determining <u>by the subscriber database device</u> from said table which are

the message members of said chain that have been processed;

updating <u>by the subscriber database device</u> said table when a message

member of said chain is successfully processed.

However, Wong teaches or suggests managing a table in the subscriber

database <u>device</u>, containing an information representing a processing state of

each member of the chain (*see column 2, lines 27-35 The report table includes a*

set of report parameters);

determining <u>by the subscriber database device</u> from said table which are

the message members of said chain that have been processed(*see column 2,*

lines 27-35 The report table includes a set of report parameters.);

updating <u>by the subscriber database device</u> said table when a message

member of said chain is successfully processed (*see column 2, lines 27-35 The*

report table includes a set of report parameters and see column 6, lines 62-67

table is updated according to steps 320).

Therefore, it would have obvious to a person of ordinary skill in the art at

the time of invention was made to have been combined the teachings of Wong to

utilize the store into the second storage section feature and managing a table

feature within a chain of database management messages exchange taught by

Deiss and Khan. The motivation for this would have been to provide the contents

of a report associated with the report (*see column 2, lines 27-35 The report table*

includes a set of report parameters and see column 6, lines 62-67 table is

updated according to steps 320.)

Deiss, Khan and Wong fail to teach explicitly if the condition has not fulfilled, locally storing said message by <u>the subscriber database device</u>;

<u>after the message has been locally stored, reading the memory of the subscriber database device and determining that the condition associated with the locally stored message has been fulfilled; and</u>

<u>processing the locally stored message after determining that the condition associated with the locally stored message has been fulfilled</u>;

However, Yorimitsu teaches if the condition has not fulfilled, locally storing said message by <u>the subscriber database device</u> (*see column 5, lines 50-67 when the relevant data doesn't exist in the self cache memory (mis-hit)… the data is written into the self cache memory (local cache memory)*);

<u>after the message has been locally stored, reading the memory of the subscriber database device and determining that the condition associated with the locally stored message has been fulfilled</u> (*see column 6, lines 1-7 when the write back conditions are satisfied, the data (hereinafter, referred to as a "dirty data") which is not yet written into the disk unit from the self cache memory is extracted and rewritten into the disk unit*)<u>; and</u>

<u>processing the locally stored message after determining that the condition associated with the locally stored message has been fulfilled</u> (*see column 6, lines 1-7 as a write back process after completion of the process of the write request, when the write back conditions are satisfied, the data (hereinafter, referred to as a "dirty data") which is not yet written into the disk unit from the self cache memory is extracted and rewritten into the disk unit*);

Therefore, it would have obvious to a person of ordinary skill in the art at

the time of invention was made to have been combined the teachings of

Yorimitsu to utilize the locally storing said message feature and managing a table

feature within a chain of database management messages exchange taught by

Deiss, Khan and Wong. The motivation for this would have been to provide the

reliability significance mode is set by the operating mode setting section (*see*

Yorimitsu column 5, lines 50-67)

6. Regarding claim 3, Deiss disclosed the method and system <u>further</u>

comprising the steps of resetting said table either on request of the managing

center or after a predefined time (*see column 8, lines 11-20).*

7. Regarding claim 4, Deiss disclosed the method and system wherein

the subscriber database is connected to a subscriber unit and wherein it

comprises the step of memorizing the management messages in a memory of

the subscriber unit and of presenting them on request to the subscriber database

(*see column 3, line 66 through column 4, line 67*).

8. Regarding claim 5, Deiss disclosed the method and system further

comprising the steps of memorizing incoming messages in series, each incoming

message causing an increment of a stack pointer of incoming messages, and of

allowing a direct access to the messages requested by the subscriber database

(*see column 4, lines 11-25; column 8, lines 11-20; column 9, lines 56-63*).

9. Regarding claim 6, Deiss disclosed the method and system wherein

the memory of the subscriber unit is configured as a serial buffer memory having

a fixed length (*see column 4, lines 12-25; column 8, lines 11-20*).

10.   Regarding claim 7, Deiss disclosed the method and system further comprising the steps of receiving in the subscriber database <u>device</u> a message member of a chain, and of allocating in the subscriber <u>database device</u> the memory necessary for receiving all the members of this chain (*see column 4, lines 11-25; column 8, lines 11-20; column 9, lines 56-63*).

11.   Regarding claim 8, Deiss disclosed the method and system further comprising the steps of requesting the subscriber <u>database device</u> to compose a management message describing its software and hardware resources and of sending said message either to the subscriber database <u>device</u> or to the management center <u>device</u> (*see column 4, lines 42-67*).

12.   Regarding claim 9, Deiss disclosed the method and system wherein the request is transmitted, either by the management center <u>device</u> under the form of a management message, or by the subscriber database <u>device</u> under the form of an instruction on an I/O line (*see column 4, lines 42-67*).

13.   Independent claims 10, 16, and 18 as well as their dependent claims recite substantially the invention of claims 1 and 3-9. Accordingly, these claims are rejected under the same rationale detailed above.

Conclusion

14.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARRUKH HUSSAIN whose telephone number is (571)270-5652. The examiner can normally be reached on Monday-Thursday, Alt. Friday, 7:30 A.M-5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

16.   Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status

information for published applications may be obtained from either Private PAIR

or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see

http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/F. H./   /William C. Vaughn, Jr./
Examiner, Art Unit 2444   Supervisory Patent Examiner, Art
06/18/2010   Unit 2444